

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*, §
§
Plaintiffs, §
§
v. § Case No. 1:18-CV-68
§
UNITED STATES OF AMERICA, *et al.*, §
§
Defendants, §
§
and §
§
KARLA PEREZ, *et al.*, §
§
Defendant-Intervenors, §
and §
§
STATE OF NEW JERSEY §
§
Defendant-Intervenor. §

**DEFENDANT-INTERVENORS' OPPOSITION TO FEDERAL DEFENDANTS'
UNOPPOSED SECOND MOTION FOR EXTENSION OF TIME TO RESPOND TO
PLAINTIFFS' AMENDED COMPLAINT**

Defendant-Intervenors Karla Perez, et al. (“Defendant-Intervenors”) respectfully request that the Court deny the United States of America, et al. (“Federal Defendants”)’s July 18, 2018, Unopposed Second Motion for Extension of Time to Respond to Plaintiffs’ Amended Complaint (“Motion for Extension”), Dkt. No. 168.

Without Federal Defendant’s Answer, the Court will not be in a position to adequately and fairly consider Defendant-Intervenors’ motion to dismiss the complaint for lack of subject matter jurisdiction. *See* Dkt. no. 118. Indeed, Defendant-Intervenors have argued that there is no actual controversy between Plaintiffs and Federal Defendants due to their alignment on the

core issue of DACA's legality. *See id.* at 8-10. Federal Defendants' Answer will provide information that is crucial to resolving this question.

CONCLUSION

For the foregoing reasons, Defendant-Intervenors respectfully request that the Court deny Federal Defendants' Motion for Extension.

Dated: July 18, 2018

Respectfully Submitted,

**MEXICAN AMERICAN LEGAL
DEFENSE AND EDUCATIONAL FUND By:**

/s/ Nina Perales

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*Attorneys for Defendant-Intervenors Karla Perez
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CERTIFICATE OF CONFERENCE

I certify that on July 18, 2018, counsel for all parties conferred regarding the relief requested in Federal Defendants' motion. At 3:46pm counsel for Perez Defendant-Intervenors indicated that they oppose this motion. Federal Defendants filed their motion at 3:23pm and thus were unable to include Perez Defendant-Intervenors' position on the motion.

/s/ Nina Perales
Nina Perales
Attorney for Defendant-Intervenors

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on July 18, 2018, I electronically filed the above and foregoing document using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

/s/ Nina Perales
Nina Perales
Attorney for Defendant-Intervenors